DETAILED ACTION

1. Claims 1,2 ,4, 6-10,13, and 21-39 are presented for examination. Claims 3, 5, 11-12, and 14-20 have been cancelled. Claims 21-39 are new.

Claim Rejections - 35 USC § 101

Claims 23, 29, and 30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful and tangible result. The specification pages 11-14 suggest that both the "anti-fraud member and the "re-direct system" are nothing but software (software per se). Therefore claims 23, 29, and 30 are rejected under 101 as 'software per se'.

Allowable Subject Matter

2. Claim 13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1, 2, 4, 6-7, 21-29, and 31-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Koopersmith et al. (US 2001/0042002) (Hereinafter Koopersmith).

5. As per claim 1, Koopersmith discloses a data transmission management system on a computer network having a provider computer and a user computer, the user computer being identifiable by a computer identifier, wherein the provider computer and the user computer are in communication there between, the system comprising:

a storage member (525, fig 5; 112, fig 4, para #0085);

a confirmation system (112, fig 4, para #0043 and para 0116), wherein the confirmation system is configured to receive a request for data transmitted from the user computer (105, 112, Fig 4, para #0045) and to confirm the request for data prior to the transmission of the data to the user computer (105, 112, Fig 4, para #0048); and

a redirect system (redirects the request or information, 112, fig 4), wherein the confirmation system and the redirect system (redirects the request or information, 112, fig 4; para #0046-0048) are coupled to each other and the storage member (functionally

coupled, 112, fig 4, para #0085), and wherein the redirect system identifies the geographic region of the user computer prior to the transmission of data (demographic filtering, para #0094).

6. As per claim 2, Koopersmith discloses a data receiver (trusted server, 112, fig 4), the data receiver comprising at least one receiving member and a controller, wherein the receiving member receives input data from the user computer (112, fig 4, para #0094);

an anti-fraud member (para #0091); and

a program commander (trusted server, 112, fig 4, para#0094), wherein the data receiver, anti-fraud member (anonymous server, para #0091) and program commander are in communication with each other, and wherein upon receipt of the request for data, the anti-fraud member transmits a notice to the user computer requesting confirmation of the request for data (fig 6, para #0091).

7. As per claim 4, Koopersmith discloses wherein the data receiver is configured to receive an account identifier for an electronic communication account computer (consumer identification number, para #0100), the account identifier being associated with an electronic communication program (consumer identification number, para #0100).

8. As per claim 6, Koopersmith discloses the anti-fraud member being configured to automatically generate and transmit an electronic communication to the electronic communication account (para #0091), wherein the electronic communication is directed to the account identifier (para #0091).

9. As per claim 7, Koopersmith discloses the anti-fraud member being configured to generate and transmit an electronic communication to the electronic communication account (para #0112 and #0116), and to generate and transmit a notification message (trusted server sends a message, para 0095) to the user computer, wherein the electronic communication is directed to the account identifier (para #0112 and 0116).

10. As per claim 21, Koopersmith discloses the confirmation system is configured to confirm the request for data by sending at least one communication to the user computer requesting that the user send a confirmation message, in response to the request for data ("confirmation notice" , para 116) .

11. As per claim 22, Koopersmith discloses upon receipt of a request for data from the user computer, the confirmation system is configured to generate an electronic mail message and transmit the electronic mail message to an electronic mail account associated with a user of the user computer ("confirmation notice" must be sent by e-mail, para 116).

12. As per claim 23, Koopersmith discloses data management system on a communication network for confirming a user's request for transmission of data before providing requested data to the user, the system comprising:
an anti-fraud member configured to respond to a data request received on the communication network (anonymous server, para 0091) by (a) communicating a request for confirmation to a user associated with the request (para #0118, "Once trusted entity server 112 identifies the information in advertising materials 1183 that is **relevant to the request or interest of consumer** 107.1, trusted entity server **112 then transmits the relevant materials to consumer 107.1. In this way, advertising materials 1183 are sent to those consumers who have expressed an interest in the product that is the subject matter of the particular advertising material** 1183. On the other hand, trusted entity server 112 will not send the particular advertising material 1183 to consumers 107.2-107.n that either did not request information about, or otherwise express interest in, the product that is the subject of the particular advertising materials 1183.", (b) determining if the user confirms or does not confirm the data request ("confirmation notice" , para 0112, 0116) and (c) provides a notice to direct data to the user in the event of a determination that the user confirmed the data request ("confirmation notice deal has been reached" , para 0112, 0116), where such data is not directed to the user in the event of a determination that the user has not confirmed the data request (para 0086); and

a re-direct system for selecting data (para #0100, In such a case, trusted entity server 112 may either arbitrarily select a supplier, select a supplier based on the demographic data of consumer 107.1 or initiate a bidding process") to provide to the user on the communication network in response to receipt of the notice from the anti-fraud unit to direct data to the user ("confirmation notice", para 0091).

13. As per claim 24, Koopersmith discloses wherein the data request is received from a computer connected for communication on the communication network (fig 9), and wherein communicating the request for confirmation to a user associated with the request comprises providing information to a computer from which the request was received (105.1, fig 9, para #0093), for displaying a page or window that includes a message requesting the user to confirm the data request (105.1 fig 9, para #0093).

14. As per claim 25, Koopersmith discloses communicating the request for confirmation to a user associated with the request comprises sending an e-mail message to an e- mail address associated with the user ("confirmation notice" must be sent by e-mail, para 116).

15. As per claim 26, Koopersmith discloses the e-mail message describes a predefined action that the user is to perform for confirming the data request (response to the request of data information, para #0093; para 116, "confirmation notice" must be sent by e-mail).

16. As per claim 27, Koopersmith discloses wherein the e-mail message describes a predefined action that the user is to perform for confirming the data request ("confirmation notice" must be sent by e-mail, para 116), wherein the predefined action includes at least one of activating a link to information on the communication network, entering and transmitting a specified code on the communication network and calling a predefined telephone number ("deal has been reached", para 116)..

17. As per claim 28, Koopersmith discloses wherein the data request is received from a computer connected for communication on the communication network (105.1, 122, fig 9), and wherein communicating the request for confirmation to a user associated with the request comprises sending an e-mail message to an e-mail address associated with the user, and providing information to a computer from which the request was received for displaying a page or window that includes a message requesting the user to check for the e-mail (response to the request of data information, para #0093; para 116, "confirmation notice" must be sent by e-mail).

18. As per claim 29, Koopersmith discloses wherein the re-direct system is configured to identify a geographic region associated with the location of the user from which the data request is received, and to select data associated with the identified geographic region for transmission to the user (105.1, fig 9, para #0093).

19. As per claim 31, the claim is rejected for the same reasons as claim 23, above.

20. As per claim 32, the claim is rejected for the same reasons as claim 24, above.

21. As per claim 33, the claim is rejected for the same reasons as claim 25, above.

34. As per claim 34, the claim is rejected for the same reasons as claim 26, above.

22. As per claim 35, Koopersmith disclose wherein the e-mail message describes a predefined action that the user is to perform for confirming the data request, wherein the predefined action includes at least one of activating a link to information on the communication network (response to the request of data information, para #0093; para 116, "confirmation notice" must be sent by e-mail), entering and transmitting a specified code on the communication network and calling a predefined telephone number (para #0050).

23. As per claim 36, Koopersmith disclose wherein the data request is received from a computer connected for communication on the communication network, and wherein communicating the request for confirmation to a user associated with the request comprises sending an e-mail message to an e-mail address associated with the user, and providing information to a computer from which the request was received for displaying a page or window that includes a message requesting the user to check for the e-mail (response to the request of data information, para #0093; para 116, "confirmation notice" must be sent by e-mail).

24. As per claim 37, determining if the user confirms or does not confirm the data request comprises monitoring information received from the communication network for a user's response to the request for confirmation (para 93), communicating one or more additional requests for confirmation and discontinuing monitoring upon completion of a predefined number of the one or more additional requests for confirmation or upon the lapse of a predefined time period, without receiving the user's response to the requests for confirmation (Para #0019).

25. As per claim 38, the claim is rejected for the same reasons as claim 29, above.

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Claim Rejections - 35 USC § 103

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

27. Claims 9-10, 30 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koopersmith et al. (US 2001/0042002) (Hereinafter Koopersmith) in view of Parekh et al. (6,757,740) (Hereinafter Parekh).

28. As per claim 8, Koopersmith did not disclose wherein the re-direct system verifies whether the data requested by the user computer is suitable for the geographic region of the user computer. However, Parekh discloses wherein the re-direct system verifies whether the data requested by the user computer is suitable for the geographic region of the user computer (re-verified, col 5, lines 45-49, col 4, lines 55-67). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Parekh with Koopersmith. The motivation would have been to communicate targeted information by profiling geographical locations of the internet users.

29. As per claim 9, the claim is rejected for the same reasons as claim 8, above. In addition, Parekh discloses the re-direct system transmits an alternative set of data (search for new target host, col 8, lines 39-44) if the data requested by the user computer is not suitable for the geographic region of the user computer (verifies col 5, lines 45-58, col 4, lines 55-67).

30. As per claim 10, the claim is rejected for the same reasons as claim 8, above. In addition, Parekh discloses the redirect system selects data for transmission to the user based upon the identified geographic region (col 1, lines 19-25, col 4 lines 55-67).

31. As per claim 30, the claim is rejected for the same reasons as claim 8, above. In addition, Parekh discloses the re-direct system comprises: an IP converter configured to

generate an IP identifier from one or more selected portions of an IP address associated with the user from which the data request is received, the IP identifier being different than the IP address from which it was generated (col 9, lines 11-51, IP Address a numeric addressing system that is used by individuals and internet applications to reach a specific computer.);

a look-up engine (nslookup, col 5, lines 42-57) configured to match the IP identifier with a particular geographic region; a re-direct controller configured to determine whether the requested information is appropriate (appropriate information, col 11, lines 63-66) for that particular geographic region (col 4, lines 55-67)and, if not, to select appropriate (confidence level, 39-47) data for that particular geographic region (col 5, lines 39-58, col 9, lines 11-51).

32. As per claim 39, the claim is rejected for the same reasons as claim 30, above.

Response to Arguments

33. Applicant's arguments filed 06/03/2009 have been fully considered but they are not persuasive, therefore rejections to claims 1, 2, 4, 6-10, and 13 is maintained.

34. In the remarks applicants argued that:

Argument: Koopersmith does not disclose a confirmation system, wherein the confirmation system is configured to receive a request for data transmitted from the user

computer and to confirm the request for data prior to the transmission of the data to the user.

Response: Koopersmith discloses a confirmation system (trusted entry server, 112, fig 4, para #0043), wherein the confirmation system is configured to receive a request for data transmitted from the user computer (consumer data record received by trusted server that includes private data and demographic data , 105, 112, Fig 4, para #0045) and to confirm the request for data prior to the transmission (response to consumer, para #0093) of the data to the user computer (105, 112, Fig 4, para #0048; para #0093, response to consumer).

Argument: Koopersmith does not disclose an anti-fraud member ; wherein upon receipt of the request for data, the anti-fraud member transmits a notice to the user computer requesting confirmation of the request for data.

Response: Koopersmith discloses an anti-fraud member (trusted entry server includes private server, 112, fig 4, para #0091); wherein upon receipt of the request for data (product information from the consumer, para #093), the anti-fraud member transmits a notice to the user computer requesting confirmation of the request for data (fig 6, para #0091; para #0093, response to consumer).

Argument: Koopersmith does not disclose the anti-fraud member being configured to automatically generate and transmit an electronic communication to the electronic

communication account, wherein the electronic communication is directed to the account identifier.

Response: Koopersmith discloses the anti-fraud member (112 fig 4, trusted entry server includes private data server/anonymous server) being configured to automatically generate and transmit an electronic communication to the electronic communication account (para #0091), wherein the electronic communication is directed to the account identifier (para #0091; para #0100, consumer identification number).

Conclusion

35. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD A. SIDDIQI whose telephone number is (571)272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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